

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION  
OPIATE LITIGATION**

**CASE NO. 1:17-MD-2804**

**JUDGE DAN A. POLSTER**

**UNITED STATES OF AMERICA’S  
BRIEF IN RESPONSE TO  
PLAINTIFFS’ MOTION FOR  
MODIFICATION OF CMO 1  
REGARDING ARCOS MARKET  
SHARE DATA AND AMENDING  
COMPLAINTS**

Now comes the United States of America, on behalf of the U.S. Department of Justice (“DOJ”) and the U.S. Drug Enforcement Administration (“DEA”) (collectively “United States”) and hereby responds to Plaintiffs’ Motion for Modification of CMO 1 Regarding ARCOS Market Share Data and Amending Complaints. (ECF No. 1077 PageID # 26896.) The United States has reviewed the proposed modification and states that the United States does not object to it, provided that each and every proposed recipient of ARCOS or SORs data is a Plaintiff in this action who agrees to be bound by the orders of this Court governing the confidentiality of the ARCOS and SORs information (ECF Nos. 167 and 400) and executes Exhibit A to the protective order (ECF No. 167) confirming its agreement to comply with the orders. Further, the United States of America takes no position on Plaintiffs’ motion regarding amending of complaints.

Respectfully submitted,

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/s/ James R. Bennett II

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**CERTIFICATE OF SERVICE**

I certify that, on November 6, 2018, I filed a copy of the foregoing Brief in Response electronically. The Court's electronic filing system will send notice of this filing to all parties. Parties may access this filing through the Court's system.

/s/ James R. Bennett II

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